

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JOHNNY GANT,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 3:12-0503
)	Judge Trauger
THE STATE OF TENNESSEE, <i>et al.</i> ,)	Magistrate Judge Bryant
)	
Defendants.)	

ORDER

On December 17, 2012, the Magistrate Judge issued a Report and Recommendation (Docket No. 19), to which no timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, the following are hereby **ORDERED**:

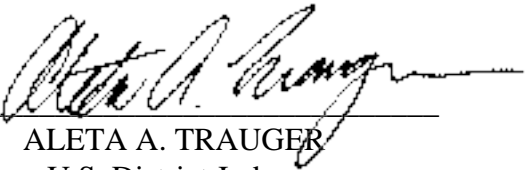
1. That all claims against the Metropolitan Government of Nashville and Davidson County, the State of Tennessee, the United States, Metro Water Services, Big Brothers, Legal Aid, the Tennessee Fair Housing Council, and Jo Ann Short be **DISMISSED** for failure to state a claim for which relief may be granted;
2. That the claims against MDHA under 5 U.S.C. § 7324; Model Penal Code § 224.4; 18 U.S.C. §§ 1506, 2071–2703; and 28 U.S.C. §§ 2671–2680, 1356 and 1491 be **DISMISSED WITH PREJUDICE** for failure to state a claim for which relief may be granted;
3. That the claims against defendant MDHA under Title VI of the Civil Rights Act of 1964 and 42 U.S.C. § 1985 be **DISMISSED WITHOUT PREJUDICE** for failure to state a claim for which relief may be granted;
4. That the claims against defendant MDHA under § 504 of the Rehabilitation Act, 42 U.S.C. § 1983, and the THRA be permitted to proceed, and that the Clerk be instructed to issue process and serve the complaint upon this defendant;

5. To the extent the complaint might be construed to assert any additional theories of recovery against any of the defendants, that these claims be **DISMISSED WITHOUT PREJUDICE**; and
6. That the plaintiff's motions for emergency injunction (Docket Nos. 3 and 11) be **DENIED AS MOOT**.

This case shall be returned to the Magistrate Judge for further handling under the original referral Order.

It is so **ORDERED**.

ENTER this 10th day of January 2011.



ALETA A. TRAUGER
U.S. District Judge